



1AP7 REC'd PCT/PTO 25 APR 2006

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Docket No.: 4280-107**

**Applicants: KNIGHT, David Philip, et al.**

**Conf. No.: 8269**

**Application No.: 10/540,042**

**Art Unit: Not yet assigned**

**Date Filed: June 22, 2005**

**Examiner: Not yet assigned**

**Title: APPARATUS AND METHOD  
FOR STORING PROTEINS**

**Customer No.:**

**23448**

**EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.

  
Joanna Joslyn

**April 25, 2006**

Date

**EO 008 859 489 US**

Express Mail Label Number

**RECEIVED**

**- 5 JUL 2006**

**Legal Staff  
International Division**

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
IN U.S. PATENT APPLICATION NO. 10/540,042**

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This responds to the November 17, 2005 Notice to File Missing Parts in the above-identified application. Petition hereby is made under the provisions of 37 C.F.R. 1.136 for a four- (4) month's extension of the terms set for reply to the Notice to File Missing Parts, from January 17, 2006 to May 17, 2006. The fee specified in 37 C.F.R. 1.17(a)(4) of \$795.00 is enclosed in the amount identified below in the Credit Card Payment Form. Enclosed herewith are:

- ☒ Declaration and Power of Attorney for Patent Application signed by David Philip Knight, c/o Oxford Biomaterials Ltd., Units 14-15, Galaxy House, New Greenham Park, Newbury, Berks RG19 6HW, Great Britain. Citizenship: Great Britain; and by Nicholas Skaer, CEO, c/o Oxford Biomaterials Ltd., Units 14-15, Galaxy House, New Greenham Park, Newbury, Berks RG19 6HW, Great Britain.
- ☒ Petition for Acceptance of Declaration and Power of Attorney Executed by Assignee on Behalf of Non-Signing Inventor Under 37 C.F.R. § 1.47(b) in U.S. Patent Application No. 10/540,042
- ☒ A return copy of the November 17, 2005 Notice to File Missing Parts for this application.
- ☒ Credit Card Payment Form authorizing the total amount of \$1,060.00 to be charged for payment of the Late Filing Fee (\$860.00), and Petition for Acceptance of Declaration and Power of Attorney Executed by Assignee on Behalf of Non-Signing Inventor (\$200.00).

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account 08-3284 of Intellectual Property/Technology Law.

05/02/2006 GFREY1 00000134 10540042

01 FC:2617  
02 FC:2254

65.00 OP  
795.00 OP

Respectfully submitted,




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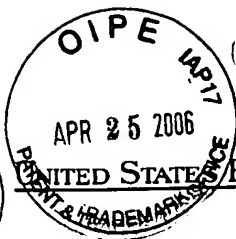
Steven J. Hultquist  
Reg. No. 28,021  
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Attorney File No.: 4280-107

**Enclosures:**

**Return Confirmation Postcard [1]**  
**Declaration and Power of Attorney for Patent Application [3 pgs.]**  
**Petition for Acceptance of Declaration and Power of Attorney Executed by Assignee on**  
**Behalf of Non-Signing Inventor Under 37 C.F.R. § 1.47(b) in U.S. Patent Application**  
**No. 10/540,042 [21 pgs.]**  
**Notice to File Missing Parts Return Copy [2 pgs]**  
**Credit Card Form [1 pg.]**

<p>The USPTO is hereby authorized to charge any deficiency or credit any overpayment of fees properly payable for this document to Deposit Account No. 08-3284</p>
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04-26-06

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/540,042	FIRST NAMED APPLICANT David Philip Knight	ATTY. DOCKET NO. 4280 4245-107
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INTERNATIONAL APPLICATION NO. PCT/EP03/14786
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I.A. FILING DATE 12/23/2003	PRIORITY DATE 12/23/2002
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23448  
INTELLECTUAL PROPERTY / TECHNOLOGY LAW  
PO BOX 14329  
RESEARCH TRIANGLE PARK, NC 27709

**RECEIVED**  
NOV 23 2005  
IPTL

**CONFIRMATION NO. 8269**  
**371 FORMALITIES LETTER**  
\*OC000000017470862\*

Date Mailed: 11/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/22/2005
- Copy of the International Search Report filed on 06/22/2005
- Preliminary Amendments filed on 06/22/2005
- Information Disclosure Statements filed on 06/22/2005
- Oath or Declaration filed on 06/22/2005
- U.S. Basic National Fees filed on 06/22/2005

*response due*  
*1/17/06*  
*✓ om*

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,042	PCT/EP03/14786	4245-107

FORM PCT/DO/EO/905 (371 Formalities Notice)